

**STATE OF ILLINOIS**

**ILLINOIS COMMERCE COMMISSION**

<b>WPS Energy Services, Inc.</b>	:	
	:	
<b>Application for Certificate of</b>	:	<b>00-0199</b>
<b>Service Authority under Section</b>	:	
<b>16-115 of the Public Utilities Act.</b>	:	

**ORDER ON REHEARING**

By the Commission:

In this proceeding, WPS Energy Services, Inc. ("WPS" or "Applicant"), which is an affiliate of Wisconsin Public Service Corporation and Upper Peninsula Power Company, filed a verified application with this Commission requesting a certificate of service authority in order to become an alternative retail electric supplier ("ARES") in Illinois pursuant to Section 16-115 of the Public Utilities Act ("Act") and 83 Ill. Adm. Code 451. Intervening petitions were filed by Peoples Energy Services Corporation ("PE Services"), which holds a certificate as an ARES, and by Commonwealth Edison Company ("ComEd").

An Order was entered by the Commission on April 18, 2000. Subject to certain conditions, that Order granted an ARES certificate to Applicant for the service territories of ComEd and three other electric utilities.

On May 18, 2000, a petition for rehearing was filed by PE Services. PE Services argued in part that the Commission should grant rehearing, and on rehearing should consider evidence from all interested parties regarding the reciprocity requirements in Section 16-115(d). ComEd did not file an application for rehearing.

On June 1, 2000, the Commission granted PE Services' petition for a rehearing. On June 15, 2000, a hearing was held, on rehearing, at the offices of the Commission in Springfield, Illinois. Appearances were entered by WPS, PE Services and the Commission Staff. At that time, PE Services made an oral motion to withdraw its rehearing petition. By way of explanation, PE Services represented that ComEd has indicated it would not be participating in the proceeding on rehearing. In PE Services' view, going forward on rehearing in this docket without ComEd's participation on the reciprocity issue would not be productive. WPS and Staff stated that they had no objections to PE Services' motion to withdraw. Thereafter, a Hearing Examiner's proposed order was served. No exceptions were filed.

In view of the foregoing, the Commission believes the proceedings on rehearing should be concluded, and that the Order entered April 18, 2000 should be affirmed.

Entry of this order on rehearing is not intended to create any presumptions with respect to the reciprocity requirements of Section 16-115(d) in any future proceedings involving WPS or other companies under Sections 16-115(d), 16-115B(b)(3) or other sections of the Act.

The Commission, having reviewed the entire record, is of the opinion and finds that:

- (1) Applicant is organized under the laws of the State of Wisconsin, and is authorized to do business in the State of Illinois; Applicant has been granted authority to become an Alternative Retail Electric Supplier under Section 16-115 of the Act;
- (2) the Commission has jurisdiction of the parties hereto and the subject matter hereof;
- (3) the facts recited and conclusions reached in the prefatory portion of this order are supported by the record and are hereby adopted as findings of fact;
- (4) the proceedings on rehearing should be concluded, and the Order entered April 18, 2000 should be affirmed, subject to the conditions set forth herein.

IT IS THEREFORE ORDERED by the Commission that the proceedings on rehearing are hereby concluded, and that the Order entered April 18, 2000 is affirmed, subject to the conditions set forth therein and in the instant Order.

IT IS FURTHER ORDERED that Applicant shall comply with all applicable Commission rules and orders now and as hereafter amended.

IT IS FURTHER ORDERED that, subject to the provisions of Section 10-110 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By order of the Commission this 6th day of July, 2000.

(SIGNED) RICHARD L. MATHIAS

Chairman

(SEAL)